

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

ORIGINAL

ANTERO RESOURCES CORPORATION, §

§

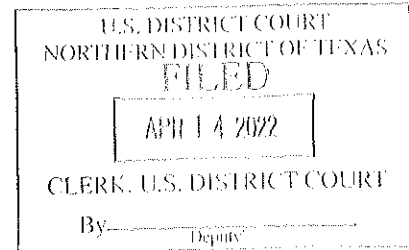
v. §

§

§

JOHN KAWCAK, §

§



VERDICT FORM

Antero's Claims Against Mr. Kawcak

Breach of Fiduciary Duty

Mr. Kawcak had a relationship of trust and confidence with Antero and therefore owed fiduciary duties to Antero.

Mr. Kawcak had the burden to prove by a preponderance of the evidence that he did not breach his fiduciary duties to Antero.

1. Did Mr. Kawcak breach his fiduciary duties to Antero?

YES: ✓

NO:

If you answered "Yes" to Question 1, then answer Questions 2 and 3. Otherwise, do not answer Questions 2 and 3 and proceed to Question 4.

2. What sum of money, if paid now in cash, would fairly and reasonably compensate Antero for its damages that were caused by such conduct?

Do not increase or reduce the amount in one answer because of your answer to any other question. Do not speculate about what Antero's ultimate recovery may or may not be. Any recovery will be determined by the Court when it applies the law to your answers at the time of judgment. Do not add any amount for interest.

Answer in dollars and cents.

Answer: \$ 11,122,140

JAWGARD

What was the value of the combined benefit that Mr. Kawcak accepted from Tommy Robertson or his companies in violation of his fiduciary duties, if any?

Do not increase or reduce the amount in one answer because of your answer to any other question. Do not speculate about what Antero's ultimate recovery may or may not be. Any recovery will be determined by the Court when it applies the law to your answers at the time of judgment. Do not add any amount for interest.

Answer in dollars and cents.

Answer: \$775,549.39

Antero's Claims Against Mr. Kawcak

Fraud

Antero had the burden to prove by a preponderance of the evidence that Kawcak committed any fraud.

4. Did Mr. Kawcak commit fraud against Antero?

YES: ✓

NO:

If you answered "Yes" to Question 4, then answer Question 5. Otherwise, do not answer Question 5 and proceed to Question 6.

5. What sum of money, if paid now in cash, would fairly and reasonably compensate Antero for its damages that resulted from such fraud?

Do not increase or reduce the amount in one answer because of your answer to any other question. Do not speculate about what Antero's ultimate recovery may or may not be. Any recovery will be determined by the Court when it applies the law to your answers at the time of judgment. Do not add any amount for interest.

Answer in dollars and cents.

Answer: \$0.00

Antero's Claims Against Mr. Kawcak

Exemplary Damages

Exemplary damages are an amount that you may in your discretion award against Mr. Kawcak as a penalty or by way of punishment.

Answer the following question only if you answered "Yes" to either Question 1 or Question 4. Otherwise, do not answer the following question and proceed to Question 8.

6. Do you find by clear and convincing evidence that the harm to Antero resulted from malice, gross negligence, or fraud?

YES: ✓

NO:

Answer the following question only if you answered "Yes" to Question 6. Otherwise, do not answer the following question and proceed to Question 8.

7. What sum of money, if paid now in cash, should be assessed against Mr. Kawcak and awarded to Antero as exemplary damages for the conduct found in response to either Question 1 or Question 4 or both?

Do not increase or reduce the amount in one answer because of your answer to any other question. Do not speculate about what Antero's ultimate recovery may or may not be. Any recovery will be determined by the Court when it applies the law to your answers at the time of judgment. Do not add any amount for interest.

Answer in dollars and cents.

Answer: \$0.00

Antero's Claims Against Mr. Kawcak

Unjust Enrichment

Antero had the burden to prove by a preponderance of the evidence that Kawcak received any unjust enrichment.

8. Did Mr. Kawcak receive unjust enrichments from Antero?

YES: _____

NO: ☒

If you answered "Yes" to Question ⁸~~11~~, then answer Question ⁹~~12~~. Otherwise, do not answer Question ⁹~~12~~ and proceed to Question ¹⁰~~13~~.

9. What was the value of Mr. Kawcak's unjust enrichment?

In making this determination, you may consider only what Mr. Kawcak received from Antero, not from any third party.

Do not increase or reduce the amount in one answer because of your answer to any other question. Do not speculate about what Antero's ultimate recovery may or may not be. Any recovery will be determined by the Court when it applies the law to your answers at the time of judgment. Do not add any amount for interest.

Answer in dollars and cents.

Answer: _____

Mr. Kawcak's Claims Against Antero

Conversion

Mr. Kawcak had the burden to prove by a preponderance of the evidence that Antero converted his property.

10. Did Antero convert Mr. Kawcak's property?

YES: _____

NO: ✓

REDACTED

4/14/22